

Application No. 09/938,893
Amendment dated September 5, 2006
Reply to Office Action of June 23, 2006

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on June 23, 2006, and the references cited therewith.

Claims 9, 13, 15-16, and 21 are amended, claims 3-6, 14, 22-26, and 28-31 are canceled, and no claims are added; as a result, claims 1-2, 7-13, 15-21, and 27 are now pending in this application.

§ 102 Rejection of the Claims

Claims 9, 13, 15, 16, 18, and 21 were rejected under 35 USC § 102(e) as being anticipated by Ko Hideyuki (JP Publication No. 2000-358131). Applicant does not admit that the Hideyuki reference is indeed prior art and reserves the right to swear behind the same at a later date. Applicant traverses the rejection as follows.

The Hideyuki reference appears to describe, "an image reader by which a user can easily recognize a print area by displaying a printable area on the basis of a recording paper size." (Abstract). It appears that a user of the device according to the Hideyuki reference can choose one or more LEDs 8-9 which can be used to show the edge of field 11 (Paragraph 0031 and Figure 2(A)). The Hideyuki reference does not show a scan window illumination device including a light source configured to generate a focused beam of light to trace at least a part of a perimeter of the scan window by directing the focused beam of light toward an upper or lower side of a scanable surface.

In contrast, Applicant's independent claim 9, as amended, recites:

a scan window illumination device including a light source configured to generate a focused beam of light to trace at least part of a perimeter of the scan window by directing the focused beam of light toward at least one of the upper side and the lower side of the scanable surface

In addition, independent claim 13, as amended, recites:

a scan window illumination device comprising a light source configured to generate a focused beam of light to trace at least part of a perimeter of the scan window by directing the focused beam of light toward at least one of the upper side and the lower side of the platen.

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As such, Applicant respectfully submits that each and every element and limitation of independent claims 9 and 13, as amended is not present in the Hideyuki reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection of independent claims 9 and 13, as well as those claims which depend therefrom.

Applicant notes with appreciation the indication by the Examiner of allowable subject matter in now canceled claim 26 in connection with independent claim 21. In the interest of furthering prosecution, Applicant has amended independent claim 21 to incorporate the subject matter deemed allowable in now canceled claim 26. As such, Applicant respectfully submits that the Hideyuki reference does not teach each and every element recited in independent claim 21, as amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection of independent claim 21, as well as those claims which depend therefrom.

Allowable Subject Matter

Applicant notes with appreciation the allowance of claims 1, 2, 7, and 8.

Claims 10, 11, 12, 17, 19, 20, 26, and 27 objected to as being dependent upon a rejected base claims, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant gratefully acknowledges the indication of allowable subject matter by the Examiner.

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Gregg W. Wisdom at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 C.F.R. §1.8:

The undersigned hereby certifies that this correspondence is being transmitted to the United States Patent Office facsimile number (571) 273-8300 on

9/5/2006

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Respectfully Submitted,
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